

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LATONIA MANN,

Plaintiff,

v.

MISSOURI IN HOME SERVICES, LLC

Defendant.

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Case No: 4:18-CV-01046 NCC

**AFFIDAVIT OF CHRISTOPHER BENT
IN SUPPORT OF REQUEST FOR REASONABLE ATTORNEY FEES**

1. I, Christopher Bent, of lawful age, after being duly sworn upon his oath, deposes and states as follows:

2. I have first-hand knowledge of the facts and information set-forth herein below.

3. The instant affidavit is provided in accordance with the Court's October 17, 2019 Memorandum And Order and is offered in support of the undersigned's request for attorney fees.

4. I am the managing Member of the Law Offices of Christopher Bent, LLC. also known as the Bent Law Firm.

5. Our Firm uses "Mycase", which is a cloud based integrated Case Management System to capture time and expenses associated with representation of our clients.

6. Time spent working on client matters is entered into Mycase.

7. All time associated with briefing Defendant's Motion For Sanctions For Failing To Appear At Deposition was captured in Mycase and is reflected on Exhibit A, which is attached hereto.

8. All expenses incurred as a direct result of Plaintiff's failure to appear at deposition was captured in Mycase and is reflected on Exhibit A as well.

9. I personally entered time spent briefing Defendant's Motion For Sanctions For Failing To Appear At Deposition in Mycase.

10. Defendant Missouri In Home Services is billed at a discounted hourly rate of \$235, based on the size and resources of the business entity.

11. The total time spent briefing Defendant's Motion For Sanctions For Failing To Appear At Deposition is 10 hours as reflected on Exhibit A.

12. Counsel for Defendant seeks reimbursement of \$2,350 for reasonable attorney fees and \$150.00 on cost associated with Plaintiff's failure to attend her own deposition. This number of based on the time entries (10) multiplied by the hourly rate of \$235.

13. The underlying dispute could not be resolved with opposing counsel, as he is extremely difficult to reach by phone. Further, Counsel for Plaintiff unequivocally refuses to pay reasonable attorney fees for his failure to attend Plaintiff's deposition. Consequently, it is impossible to resolve the underlying dispute within a reasonable period of time and without Court intervention.

14. In fact, the undersigned was forced to draft and file a Motion To Stay mediation, as the case was set for mediation on October 10, 2019.

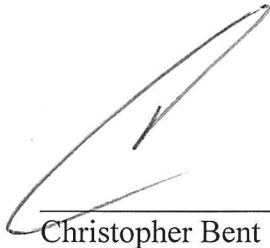
15. There was no effort on the part of Counsel for Plaintiff to shoulder the responsibility for his "mistake". Instead, the responsibility was shifted to Defendant.

16. Counsel for Plaintiff continues to predicate rescheduling Plaintiff deposition on terms that are convenient to him, without regards to the Court Order and irrespective of the undersigned's availability.

17. Consequently, this matter could not be resolved with opposing counsel in a reasonable period of time in light of his recalcitrant behavior and unnecessarily terse communication

18. Accordingly, the request for \$2,350 in attorney fees is both fair and reasonable, under the circumstances.

FURTHER, AFFIANT SAYETH NOT.



Christopher Bent

Subscribed and sworn before me this 22 day of Oct, 2019.

Commission Expires: July 30, 2023

AFFIX SEAL BELOW

Yolanda Bent

NOTARY PUBLIC



YOLANDA BENT
My Commission Expires
July 30, 2023
St. Charles County
Commission #19969952

Law Offices of Christopher Bent, LLC
 2200 West Port Plaza Driv
 Suite 306
 St. Louis, MO - Missouri 63146
 United States
 314-439-0287



Dionneshae (Dionne) Forland
 11636 W. Florissant Ave.
 Florissant, MO 63033
 United States

Balance \$2,500.00
Invoice # 00504
Invoice Date October 12, 2019
Payment Terms Due on Receipt
Due Date October 12, 2019

Latonia Mann v. Missouri Home Therapy, LLC

Time Entries

Date	EE	Activity	Description	Rate	Hours	Line Total
09/30/2019	CB	Draft Motion for Sanctions		\$235.00	2.5	\$587.50
09/30/2019	CB	Attend Deposition	Time spent waiting to see if opposing counsel will either show-up for deposition or return calls made to his office before making a record of non-appearance.	\$235.00	1.0	\$235.00
10/01/2019	CB	Draft Memo in support of Motion for Sanctions		\$235.00	3.5	\$822.50
10/10/2019	CB	Draft Reply Brief		\$235.00	3.0	\$705.00
Totals:					10.0	\$2,350.00

Expenses

Date	EE	Activity	Description	Cost	Quantity	Line Total
09/30/2019	CB	Transcript	Record of non-appearance.	\$150.00	1.0	\$150.00
Expense Total:						\$150.00



Time Entry Sub-Total:	\$2,350.00
Expense Sub-Total:	\$150.00
Sub-Total:	\$2,500.00
Total:	\$2,500.00
Amount Paid:	\$0.00
Balance Due:	\$2,500.00